

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

SEP 13 2005

JOHN F. CORCORAN, CLERK  
BY:  DEPUTY CLERK

HASTON RICHARD MONROE, JR.,  
Plaintiff,

Civil Action No. 7:05-cv-00288

v.

ORDER

SUSAN FLETCHER, et al.,  
Defendant(s).

By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

**ORDERED**

as follows:

- (1) Plaintiff's motion to amend (Dkt. No. 13) **GRANTED** and his complaint is hereby supplemented as stated in the motion;
- (2) All claims against defendants Dan Gent and James Dudley, are hereby **DISMISSED** without prejudice, pursuant to 28 U.S.C. §1915A(b)(1), and these parties are no longer considered parties to this civil action. By separate order, the court will direct the clerk to attempt service on the remaining defendants, G. Wayne Pike, Susan Fletcher, and Floyd G. Aylor.
- (3) Plaintiff's request for interlocutory injunctive relief is hereby **DISMISSED** as moot.<sup>2</sup>  
The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff and to the defendants.

ENTER: This 13<sup>th</sup> day of September, 2005.

  
Senior United States District Judge

<sup>2</sup>The record reflects that after filing this action, plaintiff was transferred to Albemarle-Charlottesville Regional Jail. As such, his request for an injunction ordering that he be transferred away from CVRJ is moot. His claims for monetary damages, however, survive his relocation. See Mawhinney v. Henderson, 542 F.2d 1 (2d Cir. 1976).